UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
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ART UNIT	PAPER NUMBER
2169	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/701,821	DONNELLY ET AL.
	Examiner	Art Unit	
	PAUL KIM	2169	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>15 October 2009</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-13,15-20,36 and 42-49</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-13,15-20,36 and 42-49</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

1.   This Office action is responsive to the following communication: Amendment filed on 15 October

2009.

2.   Claims 1-13, 15-20, 36, and 42-49 are pending and present for examination.

Response to Amendment

3.   No claims have been amended.

4.   No claims have been added.

5.   No claims have been further cancelled.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art
> are such that the subject matter as a whole would have been obvious at the time the invention was made to a
> person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

7.   **Claims 1-6, 8-11, 14-18, 36, and 43** are rejected under 35 U.S.C. 103(a) as being

unpatentable over Griffin et al (U.S. Patent No. 6,442,714, hereinafter referred to as GRIFFIN), filed on

17 March 1999, and issued on 27 August 2002, in view of Wild et al (U.S. Patent No. 5,671,351,

hereinafter referred to as WILD), filed on 13 April 1995, and issued on 23 September 1997), and in

further view of Prichard (USPGPUB No. 2003/00257332, hereinafter referred to as PRICHARD), filed on

31 July 2001, and published on 6 February 2003.

8.   **As per independent claims 1, 17, and 36,** GRIFFIN, in combination with WILD and

PRICHARD, discloses:

> A system for reporting information regarding use of one or more software products from
>   one or more client devices to at least one server, comprising:

a report user interface {See Griffin, C4:L34-37};

one or more sets of report user interface definition files residing on each of the one or more client devices, wherein a set of report user interface definition files customizes the report user interface for collecting report information regarding a particular software product {See Griffin, C4:L50-55}; and

a problem-reporting client for constructing the report user interface without requiring an initial connection to the at least one server, the report user interface based on the one or more sets of report user interface definition files {See WILD, C4:L5-10, wherein this reads over "a general purpose digital computer . . . [comprising] a test user interface 1b, a test coordinator 1c, test history and reporting 1d as on object oriented database 1i included within the processor 1g"; and C4:L25-43, wherein this reads over "[t]hrough the test user interface 1b, the user pre-defines the test cases associated with the application under test 1h and also pre-defines the sequence of execution of the associated test cases through a testing hierarchy"};

for collecting report information {See WILD, C4:L36-43, wherein this reads over "[o]nce the test execution is complete, execution of the post-test message resets the operating environment, stores the results of the test in the object test case results 1m, and provides a test results object identification (ID) which is used to access the stored results data"}; and

for providing report information to the at least one server {See GRIFFIN, C1:L58-67, wherein this reads over "allows users to directly upload data from computer-connected test equipment into the relational database"}

wherein the problem-reporting client is configured to, in response to a user of a particular client device entering information on a topic relating to the software product to the report user interface {See Prichard, [0032], wherein this reads over "in response to selection of a user interface by the system user, the user interface generation software retrieves the appropriate XML display/editor text file"}, for collecting additional information on the topic, and to dynamically reconfigure the report user interface {See Prichard, [0032], wherein this reads over "then populates the display fields with the current application data corresponding to those fields by navigating the XML nodes in the DOM"; and [0033], wherein this reads over "when the user makes a selection in the left pane of the dialog, DHTML invokes a script which recreates the right pane based on the selection"} to collect the additional information on the topic based on the additional report user interface definition file without communicating with the at least one server while reconfiguring.

While GRIFFIN may fail to expressly disclose a "system for reporting information in a distributed environment in which report user interface definition files reside on the client device and the problem-reporting client constructs the report user interface using these file without requiring an initial connection to a server," WILD discloses a system for testing and monitoring an application using a local computer wherein the user pre-defines the test cases and the resulting report generated as a result of the test case results. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the inventions suggested by GRIFFIN and WILD. That is, wherein WILD discloses

a system wherein custom reports may be generated and test result data stored in an object oriented

database, one of ordinary skill in the art would have been able to apply the disclosed invention found in

GRIFFIN to upload said data to an object oriented database found on an external server.

Additionally, while GRIFFIN and WILD may fail to expressly disclose the feature of a problem-

reporting client that "is configured to, in response to a user of a particular client device entering

information on a topic relating to the software product to the report user interface, load an additional

report user interface definition file," PRICHARD discloses an invention wherein the user interface

generation software retrieves the appropriate XML display/editor text file in response to a selection by a

system user. Specifically, it is noted that PRICHARD discloses that "the dialog selects the general layout

by selecting an HTML general layout text file from the user interface definition files." See PRICHARD,

[0017]. Furthermore, it is noted that the "user interface definition files are resident on the hard disk of

the scanner." See Prichard, [0032]. That is, the selection in the dialog pane by a user (i.e. "in response

to a user of a particular client device entering information on a topic") results in the invoking of scripts

and the accessing of specific definition files (i.e. dynamically reconfigure the report user interface)

wherein said user interface files are resident locally (i.e. without having to communicate with a server

while reconfiguring), it would have been obvious to one of ordinary skill in the art that PRICHARD would

indeed remedy the deficiencies of GRIFFIN and WILD combination. Furthermore, wherein Prichard is

generally directed to the invention of providing a customizable graphical user interface and screen layout,

it would have been obvious to one of ordinary skill in the art to apply said disclosure as taught in

PRICHARD, to improve the testing and reporting systems of GRIFFIN and WILD for the predictable result

of enabling dynamic reconfiguration of reporting user interfaces.

9.   **As per dependent claim 2,** GRIFFIN, in combination with WILD and PRICHARD, discloses:

> The system of Claim 1, wherein the report user interface facilitates reporting information
> regarding a problem encountered by a software user {See Griffin, C1:L59-67}.

10.   **As per dependent claim 3,** GRIFFIN, in combination with WILD and PRICHARD, discloses:

> The system of Claim 1, further comprising:

a report file generated by the problem-reporting client, wherein the report file is generated based on information entered by way of the report user interface {See Griffin, C3:L64-C4:L1}.

11.   **As per dependent claim 4,** GRIFFIN, in combination with WILD and PRICHARD, discloses:

The system of Claim 3, further comprising:

At least one server to which the report file is transmitted by the problem-reporting client {See Griffin, C3:L64-C4:L1}.

12.   **As per dependent claim 5,** GRIFFIN, in combination with WILD and PRICHARD, discloses:

The system of Claim 3, wherein the problem-reporting client collects report information and generates the report file without requiring a connection to the at least one server {See WILD, C4:L5-10, wherein this reads over "a general purpose digital computer . . . [comprising] a test user interface 1b, a test coordinator 1c, test history and reporting 1d as on object oriented database 1i included within the processor 1g"; and C4:L25-43, wherein this reads over "[t]hrough the test user interface 1b, the user pre-defines the test cases associated with the application under test 1h and also pre-defines the sequence of execution of the associated test cases through a testing hierarchy"}.

13.   **As per dependent claim 6,** GRIFFIN, in combination with WILD and PRICHARD, discloses:

The system of Claim 3, further comprising:

a report package generated by the problem-reporting client, wherein the report package contains the report file and additional report information {See Griffin, C6:L57-65}.

14.   **As per dependent claim 8,** GRIFFIN, in combination with WILD and PRICHARD, discloses:

The system of Claim 6, wherein the additional report information includes hardware information for the particular client device operated by a software user {See Griffin, C6:L60-62}.

15.   **As per dependent claim 9,** GRIFFIN, in combination with WILD and PRICHARD, discloses:

The system of Claim 6, wherein the additional report information includes additional files as designated in the set of report user interface definition files {See Griffin, C5L:38-41}.

16.   **As per dependent claim 10,** GRIFFIN, in combination with WILD and PRICHARD, discloses:

The system of Claim 6 wherein the additional report information includes additional files designated by a software user of the particular client device {See Griffin, C6:L63-65}.

17.   **As per dependent claim 11,** GRIFFIN, in combination with WILD and PRICHARD, discloses:

The system of Claim 1, wherein the one or more sets of files comprise one or more text files formatted in accordance with a markup language {See Griffin, C4:L48-49 and C5:L15-16}.

18.   **As per dependent claim 14,** GRIFFIN, in combination with WILD and PRICHARD, discloses:

>   The system of Claim 1, wherein the report user interface is dynamically configurable based on information entered by a user of the particular client device {See Griffin, C3:L64-C4:L1}.

19.   **As per dependent claim 15,** GRIFFIN, in combination with WILD and PRICHARD, discloses:

>   The system of Claim 1, wherein a set of report user interface definition files comprises:

>>   a report parent file {See Griffin, C4:L49-51}; and

>>   one or more additional report user interface definition files, wherein an additional report user interface definition file corresponds to a child screen in the report user interface {See Griffin, Figure 5 and C4:L51-55}.

20.   **As per dependent claim 16,** it would be inherent for identification credentials (e.g. an IP address) for a software user to be obtained wherein the present invention comprises of the transmission of a report file by a client to a server.

21.   **As per dependent claim 18,** GRIFFIN, in combination with WILD and PRICHARD, discloses:

>   The method of Claim 17, further comprising generating a report file based on information obtained by way of the report user interface without requiring a connection to a server {See WILD, C4:L5-10, wherein this reads over "a general purpose digital computer . . . [comprising] a test user interface 1b, a test coordinator 1c, test history and reporting 1d as on object oriented database 1i included within the processor 1g"; and C4:L25-43, wherein this reads over "[t]hrough the test user interface 1b, the user pre-defines the test cases associated with the application under test 1h and also pre-defines the sequence of execution of the associated test cases through a testing hierarchy"}.

22.   **As per dependent claim 43,** GRIFFIN, in combination with WILD and PRICHARD, discloses:

>   The system of Claim 1, wherein the problem-reporting client generates a report file based on information entered by way of the report user interface {See GRIFFIN, Figure 4}.

23.   **Claims 19, and 44-47** are rejected under 35 U.S.C. 103(a) as being unpatentable over GRIFFIN, in view of WILD and PRICHARD, and in further view of Budhiraja (U.S. Patent No. 6,442,714, hereinafter referred to as BUDHIRAJA), filed on 17 March 1999, and issued on 27 August 2002.

24.   **As per dependent claims 19 and 44,** GRIFFIN, in combination with WILD, PRICHARD, and BUDHIRAJA, discloses:

>   The method of Claim 17, further comprising generating a report package containing the report file and additional report information {See BUDHIRAJA, C6:L66-C7:L10, wherein this reads over "[t]he depicted embodiment uses cabinet files, which are collections of compressed files, to

package the class files of each of the component applets 92 and the core applet 94 into their own
separate cabinet files"}.

While GRIFFIN fails to expressly disclose the generation of a report package containing the report
file and additional report information, BUDHIRAJA discloses a system wherein cabinet files are used to
package class files of applets in said compressed cabinet files. The use of cabinet files would allow for
the packaging the report file and additional report information into one file for transfer to the server.
Therefore, it would have been obvious to one of ordinary skill in the art to apply the technique of
generating a package file as taught in BUDHIRAJA.

One of ordinary skill in the art would have been motivated to make this motivation so that files
may be easily and more efficiently transmitted via one compressed file.

25.   **As per dependent claim 45,** GRIFFIN, in combination with WILD, PRICHARD, and BUDHIRAJA,
discloses:

> The system of Claim 44, further comprising a file gathering component for collecting any
> files designated in the set of report user interface definition files for inclusion in the
> report package, and wherein the additional report information packaged by the
> problem-reporting client comprises the files designated in the set of report user
> interface definition files {See BUDHIRAJA, C6:L66-C7:L10, wherein this reads over "[t]he depicted
> embodiment uses cabinet files, which are collections of compressed files, to package the class files of each
> of the component applets 92 and the core applet 94 into their own separate cabinet files"}.

While GRIFFIN fails to expressly disclose the generation of a report package containing the report
file and additional report information, BUDHIRAJA discloses a system wherein cabinet files are used to
package class files of applets in said compressed cabinet files. The use of cabinet files would allow for
the packaging the report file and additional report information into one file for transfer to the server.
Therefore, it would have been obvious to one of ordinary skill in the art to apply the technique of
generating a package file as taught in BUDHIRAJA.

One of ordinary skill in the art would have been motivated to make this modification so that files
may be easily and more efficiently transmitted via one compressed file.

26.   **As per dependent claim 46,** GRIFFIN, in combination with WILD, PRICHARD, and BUDHIRAJA,
discloses:

> The system of Claim 44, further comprising a file gathering component for collecting any files designated by a user of the particular client device for inclusion in the report package, and wherein the additional report information packaged by the problem-reporting client comprises the files designated by the user {See BUDHIRAJA, C6:L66-C7:L10, wherein this reads over "[t]he depicted embodiment uses cabinet files, which are collections of compressed files, to package the class files of each of the component applets 92 and the core applet 94 into their own separate cabinet files"}.

While GRIFFIN fails to expressly disclose the generation of a report package containing the report file and additional report information, BUDHIRAJA discloses a system wherein cabinet files are used to package class files of applets in said compressed cabinet files. The use of cabinet files would allow for the packaging the report file and additional report information into one file for transfer to the server. Therefore, it would have been obvious to one of ordinary skill in the art to apply the technique of generating a package file as taught in BUDHIRAJA.

One of ordinary skill in the art would have been motivated to make this modification so that files may be easily and more efficiently transmitted via one compressed file.

27.   **As per dependent claim 47,** GRIFFIN, in combination with WILD, PRICHARD, and BUDHIRAJA, discloses:

> The system of Claim 45, wherein the file gathering component also collects any files designated by a user of the particular client device for inclusion in the report package, and wherein the additional report information packaged by the problem-reporting client comprises the files designated by the user {See BUDHIRAJA, C6:L66-C7:L10, wherein this reads over "[t]he depicted embodiment uses cabinet files, which are collections of compressed files, to package the class files of each of the component applets 92 and the core applet 94 into their own separate cabinet files"}.

While GRIFFIN fails to expressly disclose the generation of a report package containing the report file and additional report information, BUDHIRAJA discloses a system wherein cabinet files are used to package class files of applets in said compressed cabinet files. The use of cabinet files would allow for the packaging the report file and additional report information into one file for transfer to the server. Therefore, it would have been obvious to one of ordinary skill in the art to apply the technique of generating a package file as taught in BUDHIRAJA.

One of ordinary skill in the art would have been motivated to make this modification so that files may be easily and more efficiently transmitted via one compressed file.

28.   **Claims 48 and 49** are rejected under 35 U.S.C. 103(a) as being unpatentable over GRIFFIN, in

view of WILD, PRICHARD, and BUDHIRAJA, and in further view of Wookey (U.S. Patent No. 6,023,507,

filed on WOOKEY), filed on 17 March 1997, and issued on 8 February 2000.

29.   **As per dependent claim 48,** GRIFFIN, in combination with WILD, PRICHARD, BUDHIRAJA and

WOOKEY, discloses:

> The system of Claim 44, further comprising a hardware information gathering component
> for extracting information concerning the configuration of the particular client device
> {See WOOKEY, C3:L49-61, wherein this reads over "[t]he monitored computers, both slaves and the
> master(s), run diagnostics"}, and wherein the additional report information packaged by
> the problem-reporting client comprises the hardware information {See WOOKEY, C3:L62-
> C4:L35, wherein this reads over "[t]he diagnostic information collected from the monitored computer
> system includes . . . hardware configuration"}.

While GRIFFIN fails to expressly disclose a hardware information gathering component for

extracting information concerning the configuration of a particular client device, WOOKEY discloses a

system wherein diagnostic information is collected from a monitored computer system. The collection of

hardware information concerning the configuration of a client device would allow for said hardware

information to be packaged with the report file such that the hardware information may ultimately be

used for problem-reporting purposes.

One of ordinary skill in the art would have been motivated to make this modification such that

the hardware information may provide needed information for purposes of beta-testing and debugging.

30.   **As per dependent claim 49,** GRIFFIN, in combination with WILD, PRICHARD, BUDHIRAJA, and

WOOKEY, discloses:

> The system of Claim 47, further comprising a hardware information gathering component
> for extracting information concerning the configuration of the particular client device
> {See WOOKEY, C3:L49-61, wherein this reads over "[t]he monitored computers, both slaves and the
> master(s), run diagnostics"}, and wherein the additional report information packaged by
> the problem-reporting client comprises the hardware information {See WOOKEY, C3:L62-
> C4:L35, wherein this reads over "[t]he diagnostic information collected from the monitored computer
> system includes . . . hardware configuration"}.

31.   **Claims 7, 12-13, 20, 42** are rejected under 35 U.S.C. 103(a) as being unpatentable over

GRIFFIN, in view of WILD and PRICHARD, and in further view of Official Notice.

32.   **As per dependent claim 7,** the Office takes Official Notice that the report package comprise a cabinet file since it is widely and commonly known within the art that cabinet files are used for packaging a number of related files and compressing said package.

33.   **As per dependent claim 12,** the Office takes Official Notice that text files may be formatted in accordance with Extensible Markup Language (XML) since XML is widely and commonly known within the art as a standardized markup language.

34.   **As per dependent claim 13,** the Office takes Official Notice that the client would comprise an XML control parser particularly wherein the client of the claimed invention formats text files in accordance with XML which is a standard markup language within the art.

35.   **As per dependent claim 20,** the Office takes Official Notice that it would have been obvious and widely known to one of ordinary skill in the art that the additional report information includes any files as designated in the set of report user interface definition files, particularly wherein the report user interface is customizable by the user.

36.   **As per dependent claim 42,** the Office takes Official Notice that it would have been obvious and widely known to one of ordinary skill in the art to save a report file in complete form to be completed in a later session.

37.   Applicant's arguments, see pages 8-9, filed 15 October 2009, with respect to the rejection(s) of claim(s) rejections under 35 U.S.C. 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of PRICHARD.

Conclusion

38.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL KIM whose telephone number is (571)272-2737. The examiner can normally be reached on M-F, 9am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Tony Mahmoudi can be reached on (571) 272-4078. The fax phone number for the organization where

this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be obtained from

either Private PAIR or Public PAIR. Status information for unpublished applications is available through

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866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or

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/Paul Kim/

Paul Kim
Examiner, AU 2169
TECH Center 2100

/PK/